# IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

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§	Case No. 4:18-cv-00243-ALM
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### PARKCREST'S ORIGINAL ANSWER

Third Party Defendant, PARKCREST BUILDERS answers the Third Party Complaint filed herein by GV MULTI-FAMILY, LLC as follows:

## I. ANSWER TO SPECIFIC ALLEGATIONS

Parkcrest answer the specific allegations of the Complaint as follows:

- 1. Parkcrest admits the allegations in Paragraphs 1 through 11 of the Complaint.
- 2. Parkcrest admits the allegations in the first sentence of Paragraph 12. Parkcrest lacks knowledge or information sufficient to form a belief about the truth

of the allegations contained in the second sentence of Paragraph 12 and they are denied for that reason. The third sentence of Paragraph 12 contains legal conclusions does not require a response.

- 3. Parkcrest admits the allegations in the first sentence of Paragraph 13. Parkcrest lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in the second sentence of Paragraph 13 and they are denied for that reason. The third sentence of Paragraph 13 contains legal conclusions does not require a response.
- 4. Paragraphs 14 through 19 contain legal conclusions to which no response is required.

### II. AFFIRMATIVE DEFENSES

5. Assuming any violations are ultimately found to exist, which is denied, any deviations from the applicable guidelines are de minimis and within construction and/or manufacturing tolerances.

WHEREFORE, PREMISES CONSIDERED, Parkcrest prays that GV Multi-Family, LLC take nothing by its suit, that Parkcrest have and recover its costs and attorney's fees and that Parkcrest have such other and further relief as to which it may show itself justly entitled.

Respectfully submitted,

/S/ ROBERT G. BAILEY

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### ATTORNEY FOR PARKCREST

### **CERTIFICATE OF SERVICE**

I hereby certify that on April 19, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system and furnished a true and correct copy of the foregoing by U.S. Mail to:

Grant M. Gaines 2030 N. Loop 1604 W., Suite 200 San Antonio, Texas 78248

Eric G. Calhoun 1595 N. Central Expressway Richardson, Texas 75080

/S/ ROBERT G. BAILEY

Robert G. Bailey